

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

229 (2 cases)

CWP-9198-2022

Date of Decision: 08.11.2023

DHIMAN POULTRY FARM

... Petitioner

VERSUS

BANK OF BARODA AND ANR

....Respondents

(2)

CWP-26828-2021 (O&M)

BANK OF BARODA

... Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

....Respondents

CORAM: HON'BLE MRS. JUSTICE LISA GILL
HON'BLE MRS. JUSTICE RITU TAGORE

Present: None for the petitioner in CWP-9198-2022.

Mr. C. S. Pasricha, Advocate with
Mr. Sushil K. Bhardwaj, Advocate
for the petitioner in CWP-26828-2021 and
for the respondent in CWP-9198-2022.

Mr. Deepak Grewal, DAG, Haryana.

LISA GILL, J.(Oral)

1. Both writ petitions are taken up together for hearing and decision. CWP-9198-2022 has been filed by the borrower challenging proceedings under Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act (SARFAESI Act), 2002 initiated against it by the respondents-Bank. CWP-26828-2021 has been filed by the Bank seeking compliance of order dated 19.11.2019 (Annexure P-2) passed by District Magistrate, Ambala under Section 14 of the SARFAESI Act.

2. Learned counsel for the Bank as well as State submit that

possession of the property in question had been handed over to the Bank.

2. Mr. C. S. Pasricha learned counsel representing the bank informs that thereafter the matter was settled with respondent and account of the borrower has been closed with No Due Certificate being issued.

3. None appeared on behalf of borrower on last three occasions. Today again there is no representation on behalf of the borrower.

4. Keeping in view the statement made by learned counsel representing the bank as well as State, we find no justification for continuance of present proceedings. Writ petitions are accordingly disposed of as infructuous.

5. Liberty is afforded to the borrower to file appropriate application within four weeks in case any incorrect fact has been placed before us.

6. Photocopy of this order be placed on the connected case file numbered above.

(LISA GILL)
JUDGE

(RITU TAGORE)
JUDGE

08.11.2023
Rimpal

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No